

# Membership Balance Plan

## ENVIRONMENTAL PROTECTION AGENCY

### 1. FEDERAL ADVISORY COMMITTEE NAME

*State the legal name of the FAC*

Governmental Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation

### 2. AUTHORITY

*Identify the authority for establishing the FAC*

The committee is authorized under article 18 of the North American Agreement on Environmental Cooperation (NAAEC) and by the North American Free Trade Agreement Implementation Act, P.L. 103-182, which authorizes U.S. participation in the CEC. Federal government responsibilities relating to the committee are set forth in Executive Order 12915, entitled "Federal Implementation of the North American Agreement on Environmental Cooperation." The GAC is currently operating under the authority given in Executive Order 13708, dated September 30, 2015.

### 3. MISSION/FUNCTION

*Describe the mission/function of the FAC*

The Governmental Advisory Committee to the United States Representative to the North American Commission for Environmental Cooperation (GAC) will provide advice, information and recommendations on specific governmental issues. The GAC will evaluate a broad range of environment-related strategic, scientific, technological, regulatory and economic issues to be addressed in implementation and elaboration of the North American Agreement on Environmental Cooperation (NAAEC).

### 4. POINTS OF VIEW

*Based on understanding the purpose of the FAC,*

- (a) describe the process that will be used to ensure the committee is balanced, and identify the categories*
- (b) consider identifying an anticipated relative distribution of candidates across the categories; and*
- (c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members*

The GAC will be composed of approximately fifteen (15) members who will serve as Representative members of non-federal interests, Regular Government Employees (RGEs), or Special Government Employees (SGEs). Representative members are selected to represent the points of view held by organizations, associations, or classes of individuals. In selecting members, EPA will consider candidates from State, local and tribal governments.

## 5. OTHER BALANCE FACTORS

*List any other factors EPA identifies as important in achieving a balanced FAC*

Diverse backgrounds, perspectives, and geographic distribution area are also considered.

## 6. CANDIDATE IDENTIFICATION PROCESS

*Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance.*

*The summary should:*

- (a) describe the process*
- (b) identify EPA key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by EPA*
- (d) state the membership term limit of FAC members, if applicable*

Approximately 8 months prior to expiration of committee members' terms the Designated Federal Officer (DFO) meets with EPA's Office of Diversity, Advisory Committee Management, and Outreach (ODACMO) to discuss the outreach plan, establish a timeline, and other issues concerning the membership package. After approval of the outreach plan the DFO conducts outreach for new members in accordance with the plan.

The DFO solicits representative candidate names through a Federal Register notice and from individuals who are actively engaged in organizations, associations, or State, local and tribal governments.

After a review of the pool of nominees, a determination is made to consider whether additional outreach is needed. The DFO develops a draft grid of nominees, including at least one additional candidate for each point of view for the function the committee is to perform.

A balance review of the proposed membership is then conducted by ODACMO and the Office of General Counsel FACA Attorney. Different levels of EPA managers then review the draft package for questions or comments before the final package is prepared.

Formal letters of invitation to serve on the GAC will be extended by the Administrator or Deputy Administrator of EPA. This cycle will be repeated for any occurring vacancies. GAC members are usually appointed for a two-year term. Generally, members may be reappointed for a total of 6 years.

## 7. SUBCOMMITTEE BALANCE

*Subcommittees subject to FACA\* should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

*\*This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

EPA plans to use the process that is used to determine advisory committee member balance for the parent (Tier 1) Federal advisory committee for any Tier 2 subcommittee(s) that may be created.

**8. OTHER**

*Provide any additional information that supports the balance of the FAC*

Not applicable.

**9. DATE PREPARED/UPDATED**

April 21, 2016